

**SEC. 3. REMEDIES.**

Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended—

(1) in subsection (b), by striking “(b) Any employer” and inserting “(b) Except as provided in subsection (f), any employer”; and

(2) by adding at the end the following:

“(f) An employer which violates section 7(r)(4) shall be liable to the employee affected in the amount of the rate of compensation (determined in accordance with section 7(r)(6)(A)) for each hour of compensatory time accrued by the employee and in an additional equal amount as liquidated damages reduced by the amount of such rate of compensation for each hour of compensatory time used by such employee.”.

**SEC. 4. NOTICE TO EMPLOYEES.**

Not later than 30 days after the date of the enactment of this Act, the Secretary of Labor shall revise the materials the Secretary provides, under regulations published at 29 C.F.R. 516.4, to employers for purposes of a notice explaining the Fair Labor Standards Act of 1938 to employees so that such notice reflects the amendments made to such Act by this Act.

**SEC. 5. SUNSET.**

This Act and the amendments made by this Act shall expire 5 years after the date of the enactment of this Act.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,  
Will the House pass said bill?

The SPEAKER pro tempore, Mr. KOLBE, announced that the nays had it.

Mr. GOODLING demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 222  
affirmative ..... { Nays ..... 210

¶25.18

[Roll No. 59]

AYES—222

Aderholt	Coburn	Goode
Archer	Collins	Goodlatte
Armey	Combest	Goodling
Baker	Cook	Goss
Ballenger	Cooksey	Graham
Barr	Cox	Granger
Barrett (NE)	Crane	Greenwood
Bartlett	Crapo	Gutknecht
Barton	Cubin	Hall (TX)
Bass	Cunningham	Hansen
Bateman	Davis (VA)	Harman
Bereuter	Deal	Hastert
Bilbray	DeLay	Hastings (WA)
Bilirakis	Dickey	Hayworth
Bliley	Dooley	Hefley
Blunt	Doolittle	Herger
Boehner	Dreier	Hill
Bonilla	Duncan	Hilleary
Bono	Dunn	Hobson
Boyd	Ehlers	Hoekstra
Brady	Ehrlich	Hostettler
Bryant	Emerson	Houghton
Bunning	Ensign	Hulshof
Burr	Everett	Hunter
Burton	Ewing	Hutchinson
Buyer	Fawell	Hyde
Callahan	Foley	Inglis
Calvert	Fowler	Istook
Camp	Fox	Jenkins
Campbell	Franks (NJ)	John
Canady	Frelinghuysen	Johnson (CT)
Cannon	Gallagher	Johnson, Sam
Castle	Ganske	Jones
Chabot	Gekas	Kasich
Chambliss	Gibbons	Kelly
Chenoweth	Gilchrest	Kim
Christensen	Gillmor	Kingston
Coble	Gingrich	Klug

Knollenberg	Parker	Shays
Kolbe	Paul	Shuster
LaHood	Paxon	Skeen
Largent	Pease	Smith (MI)
Latham	Peterson (MN)	Smith (OR)
LaTourette	Peterson (PA)	Smith (TX)
Lazio	Petri	Smith, Linda
Leach	Pickering	Talent
Lewis (CA)	Pickett	Snowbarger
Lewis (KY)	Pitts	Solomon
Linder	Pombo	Souder
Livingston	Porter	Spence
Lucas	Portman	Stearns
Manzullo	Pryce (OH)	Stenholm
McCollum	Radanovich	Stump
McCrery	Ramstad	Sununu
McInnis	Regula	Tanner
McIntosh	Riggs	Tauzin
McIntyre	Riley	Taylor (MS)
McKeon	Rogan	Taylor (NC)
Mica	Rogers	Thomas
Miller (FL)	Rohrabacher	Thornberry
Minge	Ros-Lehtinen	Thune
Molinari	Roukema	Tiahrt
Moran (KS)	Royce	Upton
Morella	Ryun	Walsh
Myrick	Salmon	Wamp
Nethercutt	Sanford	Watkins
Neumann	Saxton	Watts (OK)
Ney	Scarborough	Weldon (FL)
Northup	Schaefer, Dan	Weldon (PA)
Norwood	Schaffer, Bob	White
Nussle	Sensenbrenner	Whitfield
Oxley	Sessions	Wicker
Packard	Shadegg	Wolf
Pappas	Shaw	Young (FL)

NOES—210

Abercrombie	Flake	McDermott
Ackerman	Foglietta	McGovern
Allen	Forbes	McHale
Andrews	Ford	McHugh
Bachus	Frank (MA)	McKinney
Baesler	Frost	McNulty
Baldacci	Furse	Meehan
Barcia	Gejdenson	Meek
Barrett (WI)	Gephardt	Menendez
Becerra	Gilman	Metcalf
Bentsen	Gonzalez	Millender-
Berman	Gordon	McDonald
Berry	Green	Miller (CA)
Bishop	Gutierrez	Mink
Blagojevich	Hall (OH)	Moakley
Blumenauer	Hamilton	Mollohan
Boehlert	Hastings (FL)	Moran (VA)
Bonior	Hefner	Murtha
Borski	Hilliard	Nadler
Boswell	Hinchey	Neal
Boucher	Hinojosa	Oberstar
Brown (CA)	Holden	Obey
Brown (FL)	Hooley	Olver
Brown (OH)	Horn	Ortiz
Capps	Hoyer	Owens
Cardin	Jackson (IL)	Pallone
Carson	Jackson-Lee	Pascarell
Clay	(TX)	Pastor
Clayton	Jefferson	Payne
Clement	Johnson (WI)	Pelosi
Clyburn	Johnson, E.B.	Pomeroy
Condit	Kanjorski	Poshard
Conyers	Kennedy (MA)	Price (NC)
Costello	Kennedy (RI)	Quinn
Coyne	Kennelly	Rahall
Cramer	Kildee	Rangel
Cummings	Kilpatrick	Reyes
Danner	Kind (WI)	Rivers
Davis (FL)	King (NY)	Roemer
Davis (IL)	Klecza	Rothman
DeFazio	Klink	Roybal-Allard
DeGette	Kucinich	Rush
Delahunt	LaFalce	Sabo
DeLauro	Lampson	Sanchez
Dellums	Lantos	Sanders
Deutscher	Levin	Sandlin
Diaz-Balart	Lewis (GA)	Sawyer
Dicks	Lipinski	Schiff
Dingell	LoBiondo	Schumer
Dixon	Lofgren	Scott
Doggett	Lowey	Serrano
Doyle	Luther	Sherman
Edwards	Maloney (CT)	Shimkus
Engel	Maloney (NY)	Sisisky
English	Manton	Skaggs
Eshoo	Markey	Skelton
Etheridge	Martinez	Slaughter
Evans	Mascara	Smith (NJ)
Farr	Matsui	Smith, Adam
Fattah	McCarthy (MO)	Snyder
Fazio	McCarthy (NY)	Spratt
Filner	McDade	Stabenow

Stark	Towns	Weller
Stokes	Trafficant	Wexler
Strickland	Turner	Weygand
Stupak	Velazquez	Wise
Tauscher	Vento	Woolsey
Thompson	Visclosky	Wynn
Thurman	Waters	Yates
Tierney	Watt (NC)	Young (AK)
Torres	Waxman	

NOT VOTING—1

Kaptur

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶25.19 MESSAGE FROM THE PRESIDENT—  
IMPOUNDMENT CONTROL

The SPEAKER pro tempore, Mr. MCINNIS, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report one proposed rescission of budgetary resources, totaling \$10 million.

The proposed rescission affects the Department of Energy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 19, 1997.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (H. Doc. 105-57).

¶25.20 MESSAGE FROM THE PRESIDENT—  
ENVIRONMENTAL QUALITY

The SPEAKER pro tempore, Mr. MCINNIS, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am pleased to transmit to the Congress the Twenty-fifth Annual Report on Environmental Quality.

As a nation, the most important thing we can do as we move into the 21st century is to give all our children the chance to live up to their God-given potential and live out their dreams. In order to do that, we must offer more opportunity and demand more responsibility from all our citizens. We must help young people get the education and training they need, make our streets safer from crime, help Americans succeed at home and at work, protect our environment for generations to come, and ensure that America remains the strongest force for peace and freedom in the world. Most of all, we must come together as one community to meet our challenges.

Our Nation's leaders understood this a quarter-century ago when they launched the modern era of environmental protection with the National Environmental Policy Act. NEPA's authors understood that environmental protection, economic opportunity, and social responsibility are interrelated. NEPA determined that the Federal Government should work in concert with State and local governments and

citizens "to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans."

We've made great progress in 25 years as we've sought to live up to that challenge. As we look forward to the next 25 years of environmental progress, we do so with a renewed determination. Maintaining and enhancing our environment, passing on a clean world to future generations, is a sacred obligation of citizenship. We all have an interest in clean air, pure water, safe food, and protected national treasures. Our environment is, literally, our common ground.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 19, 1997.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Resources.

#### ¶25.21 PROVIDING FOR THE CONSIDERATION OF H.R. 1122

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-32) the resolution (H. Res. 100) providing for consideration of the bill (H.R. 1122) to amend title 18, United States Code, to ban partial-birth abortions.

When said resolution and report were referred to the House Calendar and ordered printed.

#### ¶25.22 PROVIDING FOR THE CONSIDERATION OF H. RES. 91

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-33) the resolution (H. Res. 101) providing for consideration of the resolution (H. Res. 91) providing amounts for the expenses of certain committees of the House of Representatives in the One Hundred Fifth Congress.

When said resolution and report were referred to the House Calendar and ordered printed.

#### ¶25.23 SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 22. Joint resolution to express the sense of the Congress concerning the application by the Attorney General for the appointment of an independent counsel to investigate allegations of illegal fundraising in the 1996 Presidential election campaign; to the Committee on the Judiciary.

#### ¶25.24 ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 924. An Act to amend title 18, United States Code, to give further assurance to the right of victims to attend and observe the trials of those accused of the crime.

And then,

#### ¶25.25 ADJOURNMENT

On motion of Mr. HOEKSTRA, at 9 o'clock and 36 minutes p.m., the House adjourned.

#### ¶25.26 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MYRICK: Committee on Rules. House Resolution 100. Resolution providing for consideration of the bill (H.R. 1122) to amend title 18, United States Code, to ban partial-birth abortions (Rept. No. 105-32). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 101. Resolution providing for consideration of the resolution (H. Res. 91) providing amounts for the expenses of certain committees of the House of Representatives in the 105th Congress (Rept. No. 105-33). Referred to the House Calendar.

#### ¶25.27 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPENCE (for himself and Mr. DELLUMS) (both by request):

H.R. 1119. A bill to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes; to the Committee on National Security.

By Mr. DINGELL (for himself, Mr. GEPHARDT, Mr. OBERSTAR, Mr. BORSKI, Ms. DEGETTE, Mr. MANTON, Mr. BROWN of Ohio, Mr. TOWNS, Mr. RUSH, Mr. CLEMENT, Mr. CLYBURN, Mr. WAXMAN, Mr. MARKEY, Mr. MASCARA, Mr. BOUCHER, Mrs. TAUSCHER, Mr. PASCARELL, Ms. FURSE, Mr. DEUTSCH, Mr. BLUMENAUER, Ms. ESHOO, Mr. KLINK, Mr. STUPAK, Mr. ENGEL, Mr. SAWYER, Mr. WYNN, Mr. GREEN, Ms. MCCARTHY of Missouri, Mr. CONYERS, Ms. RIVERS, Ms. KILPATRICK, Mr. BARRETT of Wisconsin, Ms. KAPTUR, Ms. DELAURO, Mr. OLVER, Mr. LIPINSKI, Mr. DOYLE, Mr. DEFazio, Mr. JOHNSON of Wisconsin, Mr. MENENDEZ, Mr. GORDON, Ms. BROWN of Florida, Ms. NORTON, Mr. WISE, Ms. MILLENDER-MCDONALD, Mrs. LOWEY, Mr. CUMMINGS, and Mr. RANGEL):

H.R. 1120. A bill to assist local governments in assessing and remediating brownfield sites, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to encourage State voluntary response programs for remediating such sites, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1121. A bill to amend the Federal Credit Union Act to clarify existing law and ratify the longstanding policy of the National Credit Union Administration Board with regard to field of membership of Federal credit unions and to repeal the Community Reinvestment Act of 1977, and to provide for a reduced tax rate for qualified community lenders; to the Committee on Banking and Financial Services, and in addition to the Committee on Ways and Means, for a

period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOLOMON:

H.R. 1122. A bill to amend title 18, United States Code, to ban partial-birth abortions; to the Committee on the Judiciary.

By Mr. ACKERMAN:

H.R. 1123. A bill to amend the Internal Revenue Code of 1986 to permit loans from individual retirement plans for certain first-time homebuyer, education, and medical emergency expenses; to the Committee on Ways and Means.

By Mr. CRANE (for himself, and Mr. HAYWORTH):

H.R. 1124. A bill to amend the Internal Revenue Code of 1986 to provide that no capital gains tax shall apply to individuals or corporations; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself, Mrs. KELLY, Mr. WATTS of Oklahoma, Mr. WHITFIELD, Mr. BEREUTER, Mr. POMEROY, Mr. TIAHRT, Mr. GILMAN, Mr. KLINK, Mr. FATTAH, Mr. GREENWOOD, Mr. SANDLIN, Mr. ACKERMAN, Mr. SOLOMON, Mr. MANZULLO, Mr. PETERSON of Pennsylvania, Mr. FRELINGHUYSEN, and Mr. HOUGHTON):

H.R. 1125. A bill to amend title 38, United States Code, to provide that amounts collected with respect to the provisions of health care at a Department of Veterans Affairs medical center may be retained by that medical center; to the Committee on Veterans' Affairs.

By Mr. EVANS (for himself, Mr. FILLNER, Mr. GOODE, Mr. ADAM SMITH of Washington, Mr. HINCHEY, Mr. MASCARA, Mr. LIPINSKI, Mr. TAYLOR of Mississippi, Mr. ACKERMAN, Mr. STUPAK, Mr. FROST, Mr. CALVERT, Mr. BALLENGER, Mr. VENTO, Ms. PELOSI, Mr. LIVINGSTON, Mr. REGULA, and Mr. UNDERWOOD):

H.R. 1126. A bill to provide that certain service of members of the U.S. merchant marine during World War II constituted active military service for purposes of any law administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HANSEN (for himself, Mr. CANON, and Mr. COOK):

H.R. 1127. A bill to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres; to the Committee on Resources.

By Mr. HASTINGS of Florida (for himself, Ms. SLAUGHTER, Mr. EVANS, Ms. NORTON, Ms. PELOSI, Mr. OBERSTAR, Ms. HARMAN, Mr. CLEMENT, Mrs. MEEK of Florida, Mr. FOGLIETTA, Mr. FLAKE, Mr. SISISKY, Mr. GORDON, Ms. CHRISTIAN-GREEN, and Mr. SKEEN):

H.R. 1128. A bill to amend title XVIII of the Social Security Act to provide for coverage of periodic colorectal screening services under part B of the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. HALL of Ohio, Mr. DAN SCHAEFER of Colorado, Mr. TORRES, Mr. GREENWOOD, Mr. FILNER, Mr. WALSH, Mr. ABERCROMBIE, Mr. HULSHOF, Mr. ANDREWS, Mr. BOEHLERT, Mr. MEEHAN, Mrs. MORELLA, Mr. MORAN of Virginia, Mr. PAYNE, Mr. BLUMENAUER, Mr. DELLUMS, Ms. RIVERS, Mr. BROWN of Ohio, Mrs. CLAYTON, Mr. BARRETT